

### **REMARKS**

This paper is submitted in response to the Final Office Action mailed on March 17, 2009. Claims 22-24, 26, and 28-36 remain in the application. Claims 1-21 and 25 were previously canceled and claim 27 was withdrawn by Examiner. Claims 22, 26, 29, and 30 have been amended and new claims 31-36 have been added by way of this response. In view of the foregoing amendments, as well as the following remarks, Applicants respectfully submit that this application is in complete condition for allowance and request reconsideration of the application in this regard.

#### **Withdrawal of Claim 27**

Examiner has unilaterally withdrawn claim 27, which was presented in the response filed December 16, 2008, as allegedly being directed to a non-elected invention. Claim 27 is a claim depending from independent claim 26 and further sets forth "wherein each of said plurality of pockets is a folded structure defining a loop adjacent said base strip." Applicants traverse Examiner's withdrawal of this claim and seek reconsideration in this regard.

Specifically, Examiner incorrectly asserts that the pending claims are "directed to an embodiment of the invention wherein the pocket members [are] triangular bars stretching over the entire width of the base strip" (Office Action at p.2). In a reply filed by Applicants on November 16, 2007, Applicants elected, in response to a restriction requirement, Group II of the originally presented claims, i.e., claims 2-16 of the originally presented claims. Of this group of elected claims, claim 2 was the only independent claim. Original claim 2 sets forth an airflow through air freshening member

for a vehicle cabin air circulating system comprising a base strip of porous material, a selected quantity of particulate material having an air freshening substance releasably retained therein, and means retaining said particulate material on said base strip. Originally presented claim 2, therefore, included no limitation setting forth "wherein the pocket members were triangular bars stretching over the entire width of the base strip." And this limitation is also clearly absent from currently pending claim 26, the independent claim from which withdrawn claim 27 depends. Reiterating the above request, and at least for the foregoing reasons, Applicants respectfully request reconsideration of the withdrawal of dependent claim 27.

#### **Rejections under 35 U.S.C. § 102(b)**

Claims 22, 23, 26, and 29 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,958,633 to Hamilton et al ("Hamilton").

Claim 26 is the only independent claim of this group of rejected claims. Claim 26 has been amended to set forth the base strip having "first and second opposed longitudinal edges" and "each of said individual pockets extending from said first longitudinal edge to said second longitudinal edge." No new matter is introduced by way of this language, as it is fully supported in the specification (see for example Application at FIGS. 3 and 5). Hamilton fails to anticipate the invention recited in claim 26, as amended.

As illustrated in FIG. 1, Hamilton discloses a three-dimensional sheet-like structure (10) having a deformed material (12) that includes hollow protrusions (14) and a layer of substance (16) located between the protrusions (14) (Hamilton, col. 5 at lines

5-10). The protrusions (14) are equally spaced in an equilateral triangular pattern. The material (10) arguably includes first and second longitudinal edges (i.e., in this embodiment, either the pair of horizontal lines or the pair of vertical lines in FIG. 1). There is no disclosure in Hamilton, however, of each of the protrusions (14) "extending from said first longitudinal edge to said second longitudinal edge," as set forth in the rejected claim. To the contrary, each of the protrusions (14) extends only a short distance, but certainly far from "extending from said first longitudinal edge to said second longitudinal edge" of a base strip. And there is no disclosure in any of the other figures of Hamilton of individual pockets having the structure set forth in claim 26, as amended.

At least for the foregoing reasons, Applicants respectfully submit that claim 26, as amended, recites a combination of elements that is not disclosed in Hamilton, and the claim is therefore allowable.

Moreover, Applicants respectfully submit that each of claims 22, 23, and 29 is allowable at least by virtue of depending from allowable independent claim 26.

With particular respect to claim 29, the same has been amended to further distinguish the claimed invention from the disclosure of Hamilton. In particular, claim 29 has been amended to recite "said base strip and said pockets are formed from the same layer of porous material." Hamilton fails to disclose this feature. Specifically, there is no disclosure in Hamilton of a base strip and a plurality of individual pockets extending therefrom wherein the base strip and the pockets are formed from the same layer of porous material. For example, FIG. 10 of Hamilton shows a plurality of pockets (160) that extend from a base strip in the form of a layer (165) of porous material. The

description of this figure, however, fails to disclose the layer (165) and the pockets (160) being formed from the same layer of porous material. Accordingly, Applicants respectfully submit that claim 29 is allowable for this reason as well.

#### **Rejections under §103(a)**

Claim 24 stands rejected 35 U.S.C. § 103(a) as being unpatentable over Hamilton.

Claim 24 depends from independent claim 26. Applicants respectfully submit that the rejection of claim 24 has been overcome by the amendments discussed above to claim 26 and further submit that claim 24 is allowable by virtue of depending from an allowable claim.

Claim 28 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hamilton in view of U.S. Patent No. 5,080,957 to Leseman et al. ("Leseman").

Claim 28 depends from independent claim 26. The combined teachings of Hamilton and Leseman fail to disclose each and every element of independent claim 26. Specifically, neither Hamilton nor Leseman, alone or in combination, disclose, for example, "said strip having first and second opposed longitudinal edges" and "each of said individual pockets extending from said first longitudinal edge to said second longitudinal edge." Leseman is cited to allegedly provide a teaching of pockets being fused to the base strip (Office Action at p. 4). Leseman, however, fails to disclose individual pockets "extending from said first longitudinal edge [of a base strip] to said second longitudinal edge," in the manner set forth in claim 26, from which rejected claim 28 depends.

Accordingly, Applicants respectfully submit that claim 28 is allowable at least by virtue of depending from allowable independent claim 26.

Claim 30 stands rejected 35 U.S.C. § 103(a) as being unpatentable over Hamilton in view of French Publication No. 2794405 to Wallart ("Wallart").

Claim 30 is an independent claim and has been amended in a manner similar to claim 26, to set forth "said strip having first and second opposed longitudinal edges" and "each of said individual pockets extending from said first longitudinal edge to said second longitudinal edge." The combined teachings of Hamilton and Wallart fail to disclose each and every element of claim 30. Wallart is cited in the rejection to allegedly provide a teaching of a vehicle cabin comprising a filter (1) with pleats that is impregnated with an air freshening substance in order to simultaneously purify and provide a pleasant smell to the air in the vehicle cabin (Office Action at p. 5). However, Wallart does not disclose "said strip having first and second opposed longitudinal edges" and "each of said individual pockets extending from said first longitudinal edge to said second longitudinal edge," as set forth in claim 30, as amended. Nor does Wallart disclose "a base strip of porous material" and "a plurality of individual pockets defined by a porous material and extending from said base strip at positions spaced apart from one another longitudinally along said base strip," as also set forth in claim 30.

Accordingly, Applicants respectfully submit that the combined teachings of Hamilton and Wallart fail to disclose each and every element of claim 30, as amended, and the claim is therefore allowable at least for this reason.

### **New Claims**

New claims 31-36 have been added by way of this response. Each of claims 31-33 depends from allowable independent claim 30, and further sets forth, respectively, wherein said pockets include bars, each bar having a triangular cross-section, wherein said pockets include bars, each bar having a rectangular cross-section, and wherein said base strip and said pockets are formed from the same layer of porous material. No new matter is introduced by way of these new claims, as they are fully supported in the specification. Specifically, the recitation of each of new claims 31-33 is similar to the respective recitations of claims 22, 24, and 29 in their currently rejected forms. Each of claims 31-33 is allowable at least by virtue of depending from allowable independent claim 30. Accordingly, Applicants respectfully request early notification of allowance of each of these new claims.

Regarding new claims 34-36, claim 34 is an independent claim and sets forth limitations found in claim 22, as amended, and claim 29, as amended, in addition to the recitation found also in claim 26, as amended. In this regard, the language of this new claim does not add any new matter at least for the reasons presented above regarding the amendments to each of claims 22, 26, and 29. New claim 34 is allowable at least for the reasons set forth above in regards to the allowability of claim 26. Further, each of claims 35 and 36 depends from claim 34 and is allowable at least by virtue of depending from an allowable claim. Accordingly, Applicants respectfully request early notification of allowance of each of new claims 34-36.

### **Conclusion**

In view of the foregoing response including the amendments and remarks, this application is submitted to be in complete condition for allowance and early notice to this effect is earnestly solicited. If the Examiner believes any matter requires further discussion, the Examiner is respectfully invited to telephone the undersigned attorney so that the matter may be promptly resolved.

Applicants do not believe that any fees are due in connection with this response. However, if such petition is due or any fees are necessary, the Commissioner may consider this to be a request for such and charge any necessary fees to deposit account 23-3000.

Respectfully submitted,

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